

From the

10111 #1-		
INTERNATIONAL.	SEARCHING	<b>AUTHORITY</b>

To: JOHN W. CALDWELL WOODCOCK WASHBURN LLP ONE LIBERTY PLACE, 46TH FLOOR PHILDELPHIA, PA 19103

## **PCT**

## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

			(PCT Rule 43bis.1)
		Date of mailing (day/month/year)	27 SEP 2005
Applicant's or agent's file reference		FOR FURTHER	ACTION
UPNA-0030			See paragraph 2 below
International application No.	International filing date	(day/month/year)	Priority date (day/month/year)
PCT/US04/41262	10 December 2004 (10.1		11 December 2003 (11.12.2003)
International Patent Classification (IPC)	or both national classificati	on and IPC	
IPC(7): B32B 9/00; D01F 9/12 A61B 19/	00; A61M 25/00 and US C	1.: 428/408, 446; 423	3/447.1; 604/11, 19, 264; 128/898
Applicant			·
THE TRUSTEES OF THE UNIVERSIT	Y OF PENNSYLVANIA		
1. This opinion contains indications rel	ating to the following item:	s:	
Box No. I Basis of the	opinion		•
Box No. II Priority	•	·	
Box No. III Non-establi	shment of opinion with reg	gard to novelty, inven	tive step and industrial applicability
Box No. IV Lack of uni	ty of invention		· ·
Box No. V Reasoned s	tatement under Rule 43bis. y; citations and explanation	1(a)(i) with regard to as supporting such st	novelty, inventive step or industrial atement
Box No. VI Certain doc	uments cited		
Box No. VII Certain defe	ects in the international app	olication	
Box No. VIII Certain obs	ervations on the internation	nal application	
2. FURTHER ACTION		•	
International Preliminary Examinin	g Authority ("IPEA") ex the IPEA and the chosen I	cept that this does PEA has notified th	be considered to be a written opinion of the not apply where the applicant chooses an e International Bureau under Rule 66.1bis(b) red.
IPEA a written reply together, where of Form PCT/ISA/220 or before the	e appropriate, with amendrexpiration of 22 months fro	nents, before the exp	EA, the applicant is invited to submit to the piration of 3 months from the date of mailing whichever expires later.
For further options, see Form PCT/IS	0 <i>FU                                    </i>		
3. For further details, see notes to Form	PCT/ISA/220.		
Name and mailing address of the ISA/ US		Authorized officer	
Mail Stop PCT, Attn: ISA/US Commissioner for Patents		Stephen J. Stein	lean Proctor
P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230		Telephone No. 5	71-272-1700

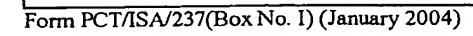
Form PCT/ISA/237 (cover sheet) (January 2004)

# WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/41262

Box No. I Basis of this opinion	·
•	
<ol> <li>With regard to the language, this opinion has been established on the basis of the internat was filed, unless otherwise indicated under this item.</li> </ol>	ional application in the language in which it
This opinion has been established on the basis of a translation from the original land which is the language of a translation furnished for the purposes of international se	nguage into the following language, earch (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international invention, this opinion has been established on the basis of:	al application and necessary to the claimed
a. type of material	
a sequence listing	
table(s) related to the sequence listing	
b. format of material	
in written format	
in computer readable form	
c. time of filing/furnishing	
contained in international application as filed.	
filed together with the international application in computer readable form.	•
furnished subsequently to this Authority for the purposes of search.	•
In addition, in the case that more than one version or copy of a sequence listing a or furnished, the required statements that the information in the subsequent or a application as filed or does not go beyond the application as filed, as appropriate,	additional copies is identical to that in the
	•
4. Additional comments:	
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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US04/41262

applicability; citations and exp	hisustions suppe				
Statement		•			
Novelty (N)	Claims	1-54			YE
	Claims	NONE	· · · · · · · · · · · · · · · · · · ·	· ·	NC
. (10)	Claima	1 54			YE
Inventive step (IS)	Claims Claims			<u> </u>	NO
-					
Industrial applicability (IA)	Claims	1-54			YI
	Claims	NONE		<u></u>	N
				·	
Citations and explanations: ims 1-54 the criteria set out in PCT Article 33					
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International application No.

PCT/US04/41262

#### Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claim 19 is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claim 19 is indefinite for the following reason(s): Claim 19 recites the limitation "The system of claim 11 wherein said silica is spherical colloidal silica particles". The limitation silica lacks antecedent basis in the claim.